

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>STEPHEN M. BILLY,</b>	:	<b>CIVIL ACTION NO. 1:11-CV-1577</b>
<b>Plaintiff</b>	:	
	:	<b>(Judge Conner)</b>
<b>v.</b>	:	
	:	
<b>OFFICER DANIEL L. PEIPER, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 13th day of August, 2013, upon consideration of the Report and Recommendation of United States Magistrate Judge Susan E. Schwab (Doc. 70), recommending that defendants' motion to disqualify (Doc. 31) be granted, and, following an independent review of the record, and noting that plaintiff filed objections<sup>1</sup> to the report (Doc. 71) on July 31, 2013, and the court finding Magistrate Judge Schwab's analysis to be thorough and well-reasoned, and the court finding the objections to be without merit and squarely addressed by Magistrate Judge Schwab's report (Doc. 70), it is hereby ORDERED that:

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<sup>1</sup> Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at \*3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at \*6 (M.D. Pa. Sept. 8, 2008)).

1. The Report and Recommendation of Magistrate Judge Schwab (Doc. 70) are ADOPTED.
2. Defendant's motion (Doc. 31) to disqualify is GRANTED. Devon M. Jacob, Esquire, and his law firm are separated from this action.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge